

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JAMES H. WHITE,

Plaintiff,

v.

PRUDENTIAL INSURANCE
COMPANY OF AMERICA,

Defendant.

CIVIL ACTION
NO. 11-3394

ORDER

AND NOW, this 8th day of November 2012, upon consideration of Plaintiff James H. White's Motion for Judgment on the Administrative Record (Doc. No. 18), Defendant Prudential Insurance Company of America's Motion for Summary Judgment (Doc. No. 17), the Responses in Opposition (Doc. Nos. 21, 23), and the Replies in Further Support (Doc. Nos. 27, 28), it is

ORDERED as follows:

1. Plaintiff James H. White's Motion for Judgment on the Administrative Record (Doc. No. 18) is **GRANTED**.
2. Defendant Prudential Insurance Company of America's Motion for Summary Judgment (Doc. No. 17) is **DENIED**.
3. The parties shall submit a proposed order awarding Plaintiff relief consistent with this opinion within fourteen days. If the parties cannot agree on a proposed order, the parties shall file separate proposed orders accompanied by a joint letter detailing any disputes.

4. The Clerk of Court shall enter Judgment in favor of Plaintiff James H. White and against Defendant Prudential Insurance Company of America after the parties have complied with paragraph three.

BY THE COURT:

/s/ Joel H. Slomsky
JOEL H. SLOMSKY, J.